

**EXHIBIT A TO SUBPOENA FOR PRODUCTION  
OF DOCUMENTS TO YOUTUBE, LLC**

**INSTRUCTIONS**

1. Each Request refers to documents in the custody, control, and possession of YouTube, LLC. (hereafter “YouTube”) or known to YouTube, as well as in the custody, control, and possession of or known to YouTube’s counsel, representatives, agents, servants, investigators, contractors, and consultants, and unless otherwise privileged, their counsel, employees, representatives, agents, servants, investigators, contractors, and consultants.

2. If any document responsive to these requests is unavailable, because it was lost, altered, deleted, or destroyed by YouTube or its agents, or for any other reason, YouTube shall fully identify the document and also state:

- a. When and where it was lost, altered, deleted, or destroyed, or why it is otherwise unavailable;
- b. The name and address of each person who lost, altered, deleted, or destroyed it, or who otherwise caused it to be unavailable;
- c. The name and address of each person who directed, approved, or knew of its alteration, deletion, or destruction, and
- d. The name and address of each person who has knowledge of this document.

3. If you cannot produce a document that is responsive to these requests for any other reason, please respond to the extent possible, stating each reason why you cannot respond in full.

4. These requests shall be deemed to be continuing, to the full extent required or permitted under the Federal Rules of Civil Procedure, so as to require supplementary

production when YouTube or its agents obtain access, custody, possession, or control of any document not previously produced, which is responsive to any of these Requests.

5. Pursuant to FRCP 26(b)(5), any document falling within the scope of this Request that is withheld on the basis of a claim of privilege, work product, or any other ground is to be identified in writing and must include: a statement of the ground alleged for withholding such document; the Bates range of the document; its date; the identity of its author, recipients, and signatories; the type of document (e.g., letter); a summary of its contents; its present location; and, its custodian(s). Notwithstanding the assertion of an objection, any purportedly privileged document containing non-privileged matter must be disclosed with the purportedly privileged portion redacted, with the redacted portion indicated on the document itself and listed on the privilege log to be provided pursuant to this paragraph.

6. Documents are to be produced in full and in their unexpurgated form. Redacted documents shall not constitute compliance with these Requests, unless such documents are properly redacted pursuant to a valid claim of privilege or work product as set forth in paragraph 5 above.

7. All documents produced in response to these Requests shall be organized and labeled either to correspond with the number of the specific request to which the documents are responsive or shall be produced in the order, format, and manner in which they are kept in the usual course of business.

8. Unless otherwise set forth, the relevant time-period for each Request is from the beginning of time to the present.

#### **DOCUMENTS TO BE PRODUCED**

1. All information and documents related to the use of your service(s) to host the content associated with and/or comprising the video currently marked “[Deleted Video]”, added to a playlist titled “GYNECARE TVT” by user “GYNECARE” and located at <http://www.youtube.com/watch?v=ggqf5IWac0Y&list=PL1E30D097521CC50E>.

2. All information and documents related to the use of your service(s) to host the content associated with and/or comprising the video currently marked “[Deleted Video]”, added to a playlist titled “GYNECARE TVT” by user “GYNECARE” and located at <http://www.youtube.com/watch?v=g9uVvL-CIng&list=PL1E30D097521CC50E>.

3. All information and documents related to the posting of the videos identified in Request No. 1 and Request No. 2 above, including but not limited to information and documents identifying the titles of the aforementioned videos and the account(s) of the user(s) that posted the videos.

4. All information and documents related to the deletion of the videos identified in Request No. 1 and Request No. 2 above, including but not limited to information and documents identifying the titles of the aforementioned videos and the account(s) of the user(s) that deleted the videos as well as the date and time that the videos were deleted.

5. Documents sufficient to identify all names, addresses, and telephone numbers associated with the account(s) of user “GYNECARE”.

6. Documents reproducing all server logs, IP address logs, account information, account access records, and application or registration forms related to the “GYNECARE” user account.

7. Documents reproducing all e-mails, correspondence, or other material between you and user “GYNECARE”.